

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LINDA MCGARR,

Plaintiff,

vs.

CITY OF PEEKSKILL, WESTCHESTER
COUNTY, DAVID LEVINE, THOMAS
MCINTYRE, WALTER BROVARSKI, EUGENE
TUMOLO, JOHN AND JANE DOE,
SUPERVISORS, DANIEL STEPHENS, LOUIS
ROH, AND MILLARD HYLAND,

Defendants.

No. CV-07-9488(KMK)(GAY)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: _____

STIPULATION OF DISCONTINUANCE WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the plaintiff Linda McGarr ("McGarr") and by the undersigned counsel for the defendants City of Peekskill ("the City"), David Levine, Thomas McIntyre, and Eugene Tumolo (collectively the "Peekskill Defendants"), that plaintiff hereby discontinues and dismisses with prejudice all claims against the Peekskill Defendants, arising from the allegations set forth in McGarr's Second Amended Complaint, as well as all causes of action and allegations, brought or not brought against the Peekskill Defendants, related in any way with the above-captioned matter. Further, this dismissal with prejudice is without an award of any costs, disbursements, interest or attorneys' fees to any party. This stipulation of discontinuance will not be filed until and will not be binding unless full payment is made to Emery Celli Brinkerhoff & Abady, LLP as set out in the separate signed settlement agreement between McGarr and the City.

This stipulation of discontinuance may be executed in any number of identical counterparts. Facsimile and other digital or PDF signatures shall have the same effect as original signatures.

Dated: New York, New York
March 31, 2014

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So Ordered:

Hon. Kenneth M. Karas, U.S.D.J.

5/1/14